

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

EVANSTON INSURANCE COMPANY,

Plaintiff,

v.

CIVIL ACTION NO. 5:22-cv-00221

MIKE CERNUTO CONTRACING, LLC,
JOHN LILLY, and KERRIE LILLY,

Defendants.

DISMISSAL ORDER

Plaintiff Evanston Insurance Company, by counsel, Lee Murray Hall and Jenkins Fenstermaker, PLLC, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby moves the Court for an Order dismissing all claims against Defendants Mike Cernuto Contracting, LLC, John Lilly, and Kerrie Lilly (the “Defendants”), without prejudice and striking them from the docket of this Court.


The Court, perceiving no objection to the motion, is of the opinion to grant it.

IT IS THEREFORE ORDERED that Civil Action No. 5:22-CV-221 is dismissed without prejudice as to all claims against the Defendants.

IT IS FURTHER ORDERED that the Clerk of the Court forward copies of this Order to counsel for the parties upon its entry.

ENTERED this 26th day of September, 2022.




Frank W. Volk
United States District Judge

Prepared for entry by:

/s/ Lee Murray Hall

Lee Murray Hall, Esquire (WVSB #6447)

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